

IN THE DISTRICT COURT OF THE UNITED STATES  
FOR THE MIDDLE DISTRICT OF ALABAMA  
EASTERN DIVISION

2005 OCT 28 A 9:27

**ANTHONY T. LEE, et al.,**

**Plaintiffs,**

**UNITED STATES OF AMERICA**

**Plaintiff-Intervenor and Amicus Curiae,**

**CIVIL ACTION NO.: 3:70cv846-T**

**NATIONAL EDUCATION ASSOCIATION,  
INC.,**

**Plaintiff-Intervenor,**

**VS.**

**MACON COUNTY BOARD OF EDUCATION,  
et al.,**

**Defendants.**

**MOTION OF MACON COUNTY BOARD OF  
EDUCATION FOR DECLARATION OF UNITARY STATUS**

Comes now the Macon County Board of Education, by and through its counsel of record, and moves this Honorable Court for an Order, declaring unitary status for the Macon County School District and the termination of this litigation.

**The grounds in support of this Motion are as follows:**

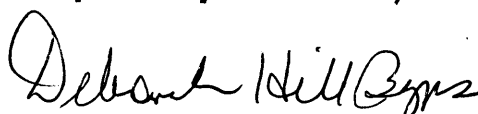
1. That the Macon County School District has fully complied with the court-ordered desegregation plan in the areas of school administration.
2. That judicial supervision is no longer needed in all areas of school administration.

3. That the Macon County School District has demonstrated a good faith commitment to the Court's desegregation orders and the U.S. Constitution.
4. That the Macon County Board of Education has taken affirmative steps to remove vestiges of illegal segregation from this school district.
5. That the effects of prior discrimination have been remedied and are no longer a factor in determining student assignments, faculty, staff, transportation, physical facilities and extracurricular activities at the schools in the school district.
6. That Macon County's population is now 84.6% black and all of its schools are now mostly attended by students who are black or African American.
7. That the Macon County School District has fulfilled its duties to achieve maximum possible desegregation to avoid reestablishment of a dual system of public education in Macon County.

**WHEREFORE**, the Macon County Board of Education respectfully requests that it be declared a unitary school district and that an order be issued terminating this litigation.

**Done this 27<sup>th</sup> day of October, 2005.**

**Respectfully submitted,**

A handwritten signature in black ink, appearing to read "Deborah Hill Biggers".

**DEBORAH HILL BIGGERS (BIG002)**  
**Attorney for Macon County Board of Education**

**CERTIFICATE OF SERVICE**

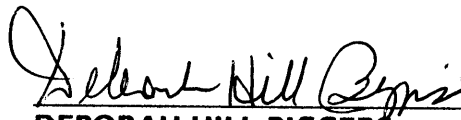
I hereby certify that on this 27<sup>th</sup> day of October, 2005, I electronically served the foregoing upon the following counsels of record:

**Hon. Fred D. Gray, Jr.  
Counsel for Lee Plaintiffs  
and NEA Plaintiff-Intervenor  
FGrayjr@glsmgn.com**

**Hon. Pauline A. Miller  
Counsel for the United States  
Pauline.A.Miller@usdoj.gov**

**Hon. Norman J. Chachkin  
Counsel for Lee Plaintiffs  
NAACP Legal Defense Fund  
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NCHACHKIN@NAACPLDF.ORG**

**Hon. Reginald Sorrells  
Counsel for the Alabama State  
Department of Education  
rsorrells@ALSDE.edu**



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**DEBORAH HILL BIGGERS  
Attorney for Macon County Board of Education**